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## Foreign State Papers.

*Convention of Commerce between His Majesty the King of Denmark and His Majesty the King of the United Kingdom of Great Britain and Ireland, concluded in London the 16th of June, 1824.*

His Majesty the King of Denmark, and His Majesty the King of the United Kingdom of Great Britain and Ireland, being equally desirous of extending and increasing the commercial intercourse between Their respective States, and of affording every facility and encouragement to Their subjects engaged in such intercourse, and being of opinion that nothing will more contribute to the attainment of Their mutual wishes in this respect, than a reciprocal abrogation of all discriminating and countervailing duties which are now demanded and levied upon the ships or productions of either Nation in the ports of the other, have appointed Their Plenipotentiaries to conclude a Convention for that purpose, that is to say:

His Majesty the King of Denmark, *Charles Emilius Count de Moltke*, Grand Cross of the Order of Dannebrog, His Said Majesty's Privy Councillor of conferences, and His Envoy Extraordinary at the Court of His Britannick Majesty,

And His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable *George Canning*, a Member of His Said Majesty's Most Honourable Privy Council, a Member of Parliament, and His Said Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable *William Huskisson*, a Member of His Said Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for affairs of trade and foreign plantations and Treasurer of His Said Majesty's Navy,

Who, after having communicated to each other their respective full-powers, found to be in due and proper form, have agreed upon and concluded the following Articles:

### ARTICLE I.

From and after the 1<sup>st</sup> day of July next, Danish vessels entering or departing from the ports of the United Kingdom of Great Britain and Ireland, and British vessels entering or departing from the ports of His Danish Majesty's Dominions, shall not be subject to any other or higher duties or charges whatever, than are or shall be levied on national vessels entering or departing from such ports respectively.

### ARTICLE II.

All articles of the growth produce or manufacture of any of the Dominions of either of the High Contracting Parties, which are or shall be permitted to be imported into or exported from the ports of the United Kingdom and of Denmark respectively in vessels of the one Country, shall, in like manner, be permitted to be imported into and exported from those ports, in vessels of the other.

### ARTICLE III.

All articles not of the growth, produce or manufacture of the Dominions of His Britannick Majesty which can legally be imported from the United Kingdom of Great Britain and Ireland into the ports of the Dominions of the King of Denmark in British ships, shall be subject only to the same duties as are payable upon the like Articles if imported in Danish ships; and the same reci-

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procity shall be observed, with regard to Danish vessels, in the ports of the Said United Kingdom of Great Britain and Ireland, in respect to all Articles not the growth, produce or manufacture of the Dominions of His Danish Majesty, which can legally be imported into the ports of the United Kingdom in Danish ships.

### ARTICLE IV.

All goods, wares and merchandise which can legally be imported into the ports of either country, shall be admitted at the same rate of duty, whether imported in vessels of the other country or in national vessels, and all goods, wares and merchandise which can be legally exported from the ports of either country, shall be entitled to the same bounties, drawbacks and allowances, whether exported in vessels of the other country or in national vessels.

### ARTICLE V.

No priority or preference shall be given, directly or indirectly, by the Government of either country or by any company, corporation or agent, acting on its behalf or under its authority, in the purchase of any article, the growth, produce or manufacture of either country, imported into the other, on account of or in reference to the character of the vessel in which such article was imported, it being the true intent and meaning of the High Contracting Parties, that no distinction or difference whatever shall be made in this respect.

### ARTICLE VI.

The High Contracting Parties having mutually determined not to include in the present convention Their respective colonies, in which are comprehended, on the part of Denmark, Greenland, Iceland, and the Islands of Ferroe, it is expressly agreed that the intercourse which may at present legally be carried on by the subjects or ships of either of the Said High Contracting Parties, with the colonies of the other, shall remain upon the same footing, as if this convention had never been concluded.

### ARTICLE VII.

The present convention shall be in force for the term of ten years from the date hereof, and further until the end of twelve months after either of the high Contracting Parties shall have given notice to the other of its intention to terminate the same, Each of the High Contracting Parties reserving to itself the right of giving such notice to the other at the end of the said term of ten years, and it is hereby agreed between Them, that, at the expiration of twelve months after such notice shall have been received by either party from the other, this convention and all the provisions thereof shall altogether cease and determine.

### ARTICLE VIII.

The present convention shall be ratified, and the ratifications shall be exchanged at London within one month from the date hereof, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at London, the sixteenth day of June, in the year of our Lord one thousand eight hundred and twenty-four.

(Signed) C. E. MOLTKE, [L. S.]

GEORGE CANNING, [L. S.]

W. HUSKISSON, [L. S.]

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## OCCUPATION OF SPAIN BY FRENCH TROOPS.

[TRANSLATION.]

OFFICIAL ARTICLE.

*Convention between the Secretary of State of His Catholic Majesty, and the Ambassador of His Most Christian Majesty, relative to the continuance of French troops in Spain.*

His Catholic Majesty the King of Spain and of the Indies, having judged it necessary to request of His Most Christian Majesty the King of France and Navarre, that a part of the French army should remain in Spain, to secure the peace and quiet of his states, to afford opportunity to re-organize his army upon the principles of order and discipline, and to support his government in repressing the efforts of the disaffected and of factions capable of subverting the state of tranquillity—His Most Christian Majesty, desirous of exhibiting proof of the affection he professes to His Catholic Majesty, of the interest he takes in the prosperity of Spain, and of the desire he feels to contribute, by every means in his power, to the firm establishment of the Spanish monarchy, the undersigned, with authority for that purpose, have agreed upon the following articles:—

Article 1. H. R. H. the Duke d'Angouleme, Generalissimo of the French army, shall leave in Spain an army of 45,000 men, to continue until the 1<sup>st</sup> of July, 1824. This corps shall be under the immediate orders of their General, Commander in Chief, who shall communicate with the government of H. C. M.; his head-quarters being established in Madrid or its vicinity. The troops of this army shall not obey any orders but those issued by their generals and officers, excepting the case of another arrangement, in virtue of special instructions in relation to detachments combined with Spanish troops.

Art. 2. If the Commander in Chief make no arrangement to the contrary, the troops remaining in Spain shall garrison the following cities and stations: Cadiz, the Isle of Leon and its dependencies, Burgos, Aranda de Duero, Badajoz, La Coruna, Santonna, Bilbao, San Sebastian, Vitoria, Tolosa, Pamplona, San Fernando de Figueras, Gerona, Hostalrich, Barcelona, La Seu de Urgel, Lerida.—The command of each one of these towns and posts shall belong to a French officer, authorized with corresponding letters of service, and with the same powers granted to Spanish governors, in military police.

Art. 3. The magazines, parks of artillery, and engineers attached to the posts above named, as well as every article found therein, shall, under the direction of the French commandant, serve for the defence of the places, for the works to be executed in them, for the repair of arms, and other necessities of the service. The Spanish officers of artillery and the engineers who have charge of these magazines and parks, shall execute the orders of the French commanders for the purposes herein mentioned.

Art. 4. When the state of the towns or posts mentioned in article 2, or of the adjacent country, demand the meeting of a Junta of Health, the French commander shall preside over it, and a faculty of the French army shall be admitted to it, for the purpose of proposing the remedial and preservative means it may judge necessary. The French commander shall take the measures that circumstances may demand, and enforce their execution. At posts where a captain-general resides, he shall preside over this Junta, and the French commander act as Vice-President.

Art. 5. The French gendarmerie may exercise their vigilance, not only in the stations and canton-

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communication; and the Spanish civil and military authorities shall afford them efficient aid and assistance when required. The French gendarmerie shall have power to arrest persons of either nation, or foreigners; but shall deliver up, to the Spanish authorities, those to whom the jurisdiction of the French army may not extend.

Art. 6. French soldiers, those attached to the army, and the individuals of its train, shall be tried only by French military courts; and if they be arrested by Spanish authorities, they shall be immediately delivered over to the French commander nearest the place of arrest.

Art. 7. The Spanish government shall cause to be tried, by special courts, or military commissions, persons or bands of men apprehended under arms, and disturbing the safety of the communications, and accused as bandits, or of having attacked Frenchmen belonging to the army. All those who shall take up arms prohibited by law, at the points where French troops are stationed, shall be tried in the same manner.

Art. 8. In case of accusation for crimes against the public safety, committed by an association of French and Spaniards, all the accused shall be delivered over to the French authority for information of the subject, and subsequently tried by their respective tribunals.

Art. 9. The deserters from the troops of both nations shall be delivered up reciprocally.

Art. 10. His Most Christian Majesty, considering the misfortunes of Spain, assumes the discharge of the ordinary expenses of his troops, for their equipment, pay, rations, and appointments. The Spanish government only obligates itself for the payment of the difference between a peace and war establishment, which has been fixed at the sum of two millions of francs every month, as the settled allowance for the division of the French army remaining in Spain. This shall commence from the 1st day of December, 1823, and be paid on the last day of each month.

Art. 11. H. C. M. takes upon himself, moreover, to provide, in conformity with the regulation annexed to the present convention, the accommodation of troops, garrisons, quarters, magazines, hospital stores, transports for the service of the army, military habitations, stores, laid up at the fortified posts, their repair, and other objects of acknowledged utility.

Art. 12. Articles of clothing and appointment, provisions, and other things necessary for the consumption or use of the French troops, shall be introduced and transported in Spain, free of all duties. But to prevent abuses that might produce violations of the laws regulating the customs, it is agreed, that these articles shall not be introduced without authentic certificates of their origin and destination, and being subjected to the formalities that shall be settled in regard to this point.

Art. 13. The military, and those attached to the army, who may be incorporated in its corps, or may leave Spain, shall be exempted from all pay whatsoever to the custom-houses, for the articles required for their personal use.

Art. 14. All official packets, under seal, for the French army, shall be received in the post offices, and transmitted free of postage.

The couriers, posts, and soldiers, who travel, shall pay for the horses and other charges of the relays, at the same price as posts of the Spanish government; and they shall be freed, as military convoys, transports of provisions, stores and munitions, from tolls established for the preservation of the roads.

Art. 15. For the safety of intercourse and correspondence, the Spanish government shall station detachments, so that they may escort convoys, the ments of the French troops, but also in the adjacent country, and in the direction of the various lines of transportation of articles and provisions, officers in commission, and the mails of the French army.

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Art. 16. H. M. C. Majesty having suffered troops to continue in Spain, at the request of H. C. M. it is agreed, notwithstanding the term fixed by article 1, that said troops shall be re-called to France whenever H. M. the King of Spain shall think them no longer necessary, and shall make this communication. H. M. the King of France reserves to himself, on his part, the right of withdrawing them before the said period, if, from any unforeseen occurrence, he should deem it necessary.

Art. 17. The high contracting parties also reserve to themselves the consideration, by common consent, after the term fixed by article 1, whether it shall be proper to extend it upon the same basis.

Art. 18. The present convention, to which shall be added a regulation providing for its execution, shall be ratified, and the ratifications exchanged within the shortest time.

In faith of which, the respective Plenipotentiaries have signed the present convention, and affixed the seal of their arms.

Done in duplicate at Madrid, February 9, 1824.

#### Ratification of His Catholic Majesty.

D. Ferdinand VII. by the grace of God, King of Castille, Leon, Aragon, &c.

Whereas, a Convention relative to the continuance of the French troops in Spain having been arranged, concluded, and signed, by the Conde de Ofalia, our first Minister of State and Despatch, Knight Grand Cross of the Royal American Order of Isabella the Catholic, &c. &c.; and by the Marquis de Talaru, the Ambassador of our dear and well beloved Uncle the Most Christian King near us, Knight of the distinguished order of the Golden Fleece, Peer of France, &c. &c., each one in virtue of the correspondent authority of His Sovereign, the tenor of which, word for word, is as follows:

[Here the Convention.]

Therefore, having seen and examined the said Convention inserted above, we have approved and ratified its provisions, as by virtue of the present we do approve and ratify them in the most solemn manner, promising, on the faith and word of a King, to fulfill and observe it, and cause it to be fully observed and executed; and for its greater confirmation and effect, we sign the present with our hand, sealed with our privy seal, and counter-signed by our undersigned Councillor of State, Secretary of State and Despatch and Marine.

Given at the Palace.

[L. S.]

I, THE KING.

LUIS MARIA SALAGAR.

#### Ratification of His Most Christian Majesty.

Luis, by the grace of God, King of France and Navarre, to all those to whom these presents shall come, greeting:

Having seen and examined the Convention for the prolongation of the continuance of the French Army in Spain, which was concluded and signed at Madrid, the 9th of February of the present year, by our well beloved Marquis de Talaru, Peer of France, Knight of our Orders of the Golden Fleece, &c. &c. our Ambassador in Spain, and Plenipotentiary in virtue of the full powers which we have given him, with the Conde de Ofalia, Knight Grand Cross of our royal order of the Legion of Honour, Councillor of State, first Secretary of State, &c. &c. and Plenipotentiary of our very dear and well beloved brother and nephew, the King of Spain and the Indies, authorized with full powers and in proper form, the tenor of which Convention is as follows:

[Here the Convention.]

We, approving the said Convention in all and singular its parts, declare that, for ourselves, as well as for our heirs and successors, we accept, approve, ratify, and confirm it, promising on the faith and word of a King, to observe and keep it inviolably, in every part. In faith of which we have commanded our seal to be affixed to the present.

Given at our Palace of the Thuilleries, February 18th, of the year of grace, 1824, and the 30th of our reign.

LUIS,

For the King,

THE COUNT DE VILLELE.

#### EXCHANGE OF RATIFICATIONS.

The undersigned, D. Narciso de Heredia, Count of Ofalia, Knight Grand Cross of the American order of Isabella the Catholic, of the royal and distinguished Spanish order of Charles III. Councillor of State, and first Secretary of State, and of General Despatch of H. C. M. and a Plenipotentiary: and M. Luis Justino Maria, Marquis de Talaru, Peer of France, Field-Marshal of the Armies of His Most Christian Majesty, Knight of the distinguished order of the Golden Fleece, and of the royal and military order of St. Luis, his Plenipotentiary and Ambassador near his Catholic Majesty: having produced, respectively, the instruments of ratification, by our sovereigns, of the convention signed by us in this capital, on the 9th of the present month, for regu-

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lating the continuance of French troops in Spain, and finding them similar, and authorized in the usual form, we have proceeded to exchange, and have exchanged, the said ratifications.

In evidence of which, we sign the present, and seal it with the seal of our arms.

Madrid, February 18, 1824.

[L. S.] The First Secretary of H. C. M. the Conde de Ofalia.

[L. S.] The Ambassador of H. M. C. M. the Marquis de Talaru.

#### [TRANSLATION.]

Regulation annexed to the Convention relative to the continuance of the French troops in Spain.

#### QUARTERS.

Art. 1. At every post occupied by the French troops, the Government of H. C. M. shall provide:

1. Proper buildings as quarters for the troops, and shall preserve them in a good state of repair.  
2. Articles of bedding, furniture utensils, which, according to the French regulations, are provided for the use of troops; and shall preserve these articles in a condition fit for use.

Art. 2. There shall be an inventory formed of all the articles of bedding, furniture and utensils remaining in the quarters at present, that do not belong to any contractor; these articles shall be classed in the inventory as good, reparable, and useless; and the delivery of them shall immediately be made to the Spanish government.

Art. 3. If the quarters be not provided as agreed by article 1, the French commander shall have power to billet his soldiers in the houses of the inhabitants; but this shall be provisionally, and until the quarters be prepared.

Art. 4. If it should by any means happen, that quarters should not be provided, as agreed upon, and the French commander should judge it inconvenient to billet the troops upon the inhabitants, the French administration, after being assured of these circumstances, shall be authorized to provide them, the Spanish Government failing to do so; but it shall be chargeable with these advances made on account of the French Government.

Art. 5. If the quarters shall contain apartments fit for the accommodation of officers, they shall be provided with the furniture and utensils specified in the French regulations.

Art. 6. The troops shall be responsible for the damages they may do to the houses and furniture of the quarters. These damages shall be estimated by some experienced person, and their amount deducted from the pay of the troops, and immediately paid over to the agents of the Spanish Government.

Art. 7. The officers, and functionaries of all the different corps, shall be lodged in the houses of the inhabitants, correspondent to their rank and office, and the Spanish Government shall indemnify the owners of the houses.

Art. 8. The Spanish administration shall provide and preserve in good repair;

1. The buildings and accommodations for stationing corps-de-garde.  
2. The furniture and utensils for their use, required by the French regulations.

Art. 9. Fire-wood and light, for the quarters and corps de-garde, shall also be provided by the Spanish Government, in such quantities as are required by the French regulations.

#### HOSPITALS.

Art. 10. The Government of His Catholic Majesty shall provide:

1. Buildings suitable for military hospitals, and shall preserve them in a good state of repair.  
2. Beds, with all their furniture, sheets, and articles of linen for the sick; the furniture and utensils required by the French regulations for

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this service, and shall keep them in good condition.

Art. 11. An inventory shall be taken of all the articles of every description found at present in the hospitals, and belonging to the French administration. These shall be delivered to the Spanish administration, after being valued by skillful persons on both sides. The Spanish Government shall satisfy the French administration in the amount of the valuation.

As to the articles now used by the French troops, that do not belong to their administration, the Spanish Government shall account to their owners, by paying their value, or the hire that may be agreed upon.

Art. 12. The Spanish administration shall have power to appoint agents to watch over the preservation of the moveable articles that may belong to it; but these agents shall be subject to the internal police of the station.

Art. 13. If French hospitals be wanting, or if those already provided be not sufficient, the French soldiers shall be admitted into the Spanish hospitals, the charge for the time of occupation being at the expense of the French administration, according to the arrangement it may have made with the local.

#### MAGAZINES.

Art. 14. Besides the buildings for quarters and hospitals, the Spanish Government shall provide and preserve in good repair all local establishments or work-shops necessary for the service of the troops, such as bake-houses, store-houses for provisions and forage, arms and clothing.

#### TRANSPORTS.

Art. 15. The Spanish Gov't shall provide:

1. The means of transportation, required by troops on a march, for their baggage and the disabled.

2. For the transportation of the articles belonging to corps that may pass from one garrison to another.

3. For the transportation by sea or land, of the sick, or the articles that may be sent back to France.

Art. 16. The goods necessary for the use of the French troops, articles of clothing, equipment, &c. shall, conformably with the 12th Art. of the Convention, enter and pass through Spain, free of all custom-house and other duties; the conductors who have the convoys in charge, shall satisfy the officers of the customs of the legal object of these goods or articles, producing their journal and letter of remittance, inspected by the military sub intendant, and for want of him, by an agent of the French government.

All the bales, casks, and barrels, shall be sealed and marked, at the place of their departure, with the seal of the magazine whence they may have been issued.

Art. 17. The military transports, and, in general, all the vehicles of the army, shall be freed from bridge-tolls, ferriage, turnpikeage, and other tolls established for the preservation of the roads.

Art. 18. Convoys and transports of money, not escorted by French troops, or by an insufficient number of them, shall be escorted by troops from Spanish garrisons.

Art. 19. With regard to the transportation of money for the payment of troops distant from the head-quarters, the paymaster general of the army shall arrange it with the general treasury of the kingdom, to procure bills upon the provinces, by paying the money at Madrid.

Art. 20. In ports where there are French troops, the military commanders shall have power to keep, if necessary, a certain number of cutters and armed boats to preserve the communication

by sea, and to maintain the police in the ports and roads under their command.

#### RATIONS.

Art. 21. The detachments and corps on their march, as well as soldiers under march without their colours, have the right to be lodged in the houses of the inhabitants, and are entitled to fire and light; the means of transportation, provision, and forage, shall also be furnished them. The Spanish government shall furnish the first two articles as already provided.

Where the French administration has no regular persons to provide the rations of provisions and forage, the Alcaldes shall be obliged to furnish them, whenever required, and shall be remunerated by the French administration, on the presentation of their certificates of the monthly distribution that they have made; the prices in this case, corresponding with those of the public markets.

#### STORES.

Art. 22. The Spanish government shall lay up stores at the fortified places, preserving them according to the direction of the commander in chief of the French troops. He shall appoint persons for guarding and preserving them; but they shall be under the orders of the French administration, to which shall be committed the regulation and care of the store-houses.

Art. 23. An inventory shall be made of all the goods that remain at and constitute the stores of each post. These goods shall be valued by the judgment of experienced persons of both parties, and immediately delivered to the agents appointed by the Spanish administration, which shall credit the French, with the amount of their valuation.

Art. 24. If, from any pressing necessities, stores should suddenly be wanted at a station, they shall be procured by requisitions upon the Magistrates of the adjacent villages, who shall be paid their value, at the ordinary market-price.

#### FORTIFICATION OF POSTS.

Art. 25. At places garrisoned by French troops, the Spanish Government shall provide:

1. Armies furnished with arms, artillery, and engineers, as required by the officers *del Arma*, and approved by the commander in chief of the French troops.

2. Works of constructions and repairs required for the fortification and defence of these posts.

#### MAIL CARRIERS.

Art. 26. As already provided by the 14th article of the Convention, the post riders, couriers, and officers in commission, shall procure horses at the post-houses in Spain, for the same price allowed in the regulated prices, for the like service of His Catholic Majesty.

Art. 27. The mail-carriers of the French army shall receive and convey the French correspondence; the transportation of sealed despatches shall be made by the ordinary mails of the Spanish Government, on all the routes where no French mail may have been established. A registry shall be opened for noting the transmission of despatches, both their departure and arrival, between the French and Spaniards.

Art. 28. At small garrisons and encampments, where there are no French mail carriers, sealed correspondences for the service shall be received and delivered, free of postage, by the director of the Spanish posts.

Art. 29. The general commander in chief of the French troops in Spain, shall inform H. E., the minister of war, of all the dispositions of the French regulations applicable to the different parts of the service, which, by these regulations, are committed to the Spanish government; and all the measures and the means for their execution, shall be taken by common consent.

Done in Duplicate at Madrid, February 9th, 1824.

[L. S.] The First Secretary of State of H. C. M. The Comte de Oñate.

#### Convention for prolonging the continuance of the French army in Spain.

H. C. M. the King of Spain and the Indies, and H. M. C. M. the King of France and Navarre, having reserved to themselves, by the 17th article of the convention of the 9th of February last, the consideration of the expediency of continuing the French army in Spain after the 1st of July next, which was the period fixed by the said convention; H. C. M. has determined that a prolongation of the stay of the French troops will be necessary to afford time for the complete organization of his army, and has made formal request thereof.

And His Most Christian Majesty, to give additional proof of the great interest he feels in the prosperity of Spain, having acceded to the wishes of H. C. M.:

Their Majesties have determined to choose Plenipotentiaries to discuss and sign the articles of a new convention.

H. C. M. has, therefore, appointed His Excellency Sr. Don Narciso de Herida, Count of Ofalia, Knight Grand Cross, &c. &c.

And His Most Christian Majesty has also appointed His Excellency M. Luis Justino Maria, Marquis of Talaru, Peer of France, &c. &c.

The above-named, being furnished with full powers, have agreed to the following stipulations:

Art. 1. The French army remaining at present in Spain, shall continue therein until the 1st of January, 1825, under the reservations expressed in article 16 of the convention of the 9th of February.

One division of this army shall be stationed at Madrid, and its vicinity, to preserve, in union with the troops of His Catholic Majesty, order and tranquillity in the capital. The head-quarters of the army shall be transferred whenever the General-in-Chief may judge it proper for the good of the service.

Art. 2. In addition to the posts mentioned in article 2 of the convention of the 9th of February last, the French army shall garrison the towns of Zaragoza and Cardona.

Art. 3. The furnishing of the posts occupied by the French troops, with arms and provisions, shall be arranged by the General-in-Chief and the government of H. C. Majesty, in concert. Arms and munitions shall not be drawn from the posts specified, except when the quantity exceeds the number fixed in the regulations made by them.

Art. 4. The military commissions established by article 7 of the convention of the 9th of February, shall try, within two months at the farthest, individuals accused of crimes, by which, according to that article, they are subjected to the said commissions.

Art. 5. There shall be established in Navarre, and the Provincias Vascongadas, a commission of the Spanish government to communicate with the French commander, and to provide, in those provinces, the accommodation of the French troops, transports, and the service of the hospitals. The commission shall have the necessary powers to carry into effect the conventions and regulations in regard to the French army.

Art. 6. Two months after the ratification of the present convention, the disbursements, which, according to the convention of the 9th of February and the annexed regulations, were chargeable to Spain, and that have been advanced by France for the objects of the service, since the 1st of December, 1823, shall be settled and liquidated.

Art. 7. The convention of the 9th of February and the regulations annexed, as well as that of the 10th of the same month, relative to the service of the correspondence of the French army, shall remain in force for the term of this present convention, in every thing not modified by the preceding articles.

Art. 8. The present convention shall be ratified, and the ratifications exchanged in the shortest possible time.



In faith of which, the respective Plenipotentiaries have signed the present Convention, and affixed the seals of their arms.

Done in duplicate at Madrid, June 30th, 1824.

- [L. S.] The Minister of State of H. C. M. the Conde de Ofalia.  
[L. S.] The Ambassador of His Most Christian Majesty, the Marquis de Talara.

### President's Message.

WASHINGTON, Dec. 7, 1824.

This day at 12 o'clock, the PRESIDENT OF THE UNITED STATES communicated to both Houses of Congress the following

#### MESSAGE:

*Fellow-Citizens of the Senate,  
and of the House of Representatives:*

The view which I have now to present to you, of our affairs, foreign and domestic, realizes the most sanguine anticipations which have been entertained, of the public prosperity. If we look to the whole, our growth, as a nation, continues to be rapid beyond example: if to the States which compose it, the same gratifying spectacle is exhibited. Our expansion over the vast territory within our limits, has been great, without indicating any decline in those sections from which the emigration has been most conspicuous. We have daily gained strength, by a native population, in every quarter: a population devoted to our happy system of government, and cherishing the bond of union with fraternal affection. Experience has already shown, that the difference of climate, and of industry proceeding from that cause, inseparable from such vast domains, and which, under other systems, might have a repulsive tendency, cannot fail to produce with us, under wise regulations, the opposite effect. What one portion wants, the other must supply, and this will be most sensibly felt by the parts most distant from each other, forming thereby a domestic market, and an active intercourse between the extremes, and throughout every portion of our Union. Thus, by a happy distribution of power between the National and State Governments; governments which rest, exclusively, on the sovereignty of the people, and are fully adequate to the great purposes for which they were respectively instituted, causes which might otherwise lead to dismemberment, operate powerfully to draw us closer together. In every other circumstance, a correct view of the actual state of our Union, must be equally gratifying to our constituents. Our relations with foreign powers are of a friendly character, although certain interesting differences remain unsettled with some. Our revenue, under the mild system of impost and tonnage, continues to be adequate to all the purposes of the government. Our agriculture, commerce, manufactures, and navigation flourish. Our fortifications are advancing in the degree authorized by existing appropriations, to maturity; and due progress is made in the augmentation of the Navy to the limit prescribed for it by law. For these blessings we owe to Almighty God, from whom we derive them, and with profound reverence, our most grateful and unceasing acknowledgements.

In advertent to our relations with foreign powers, which are always an object of the highest importance, I have to remark, that of the subjects which have been brought into discussion with them, during the present administration, some have been satisfactorily terminated; others have been suspended, to be resumed hereafter, under circumstances more favourable to success; and others are still in negotiation, with the hope that they may be adjusted with mutual accommodation, to the interests and to the satisfaction of the respective parties. It has been the invariable ob-

ject of this government to cherish the most friendly relations with every power, and on principle and conditions which might make them permanent. A systematic effort has been made to place our commerce, with each power, on a footing of perfect reciprocity; to settle with each, in a spirit of candour and liberality, all existing differences, and to anticipate and remove, so far as it might be practicable, all causes of future variance.

It having been stipulated, by the seventh article of the Convention of Navigation and Commerce, which was concluded on the 24th of June, 1822, between the United States and France, that the said Convention should continue in force for two years from the first of October of that year, and for an indefinite term afterwards, unless one of the parties should declare its intention to renounce it, in which event it should cease to operate at the end of six months from such declaration; and no such intention having been announced, the Convention having been found advantageous to both parties, it has since remained, and still remains, in full force. At the time when that Convention was concluded, many interesting subjects were left unsettled, and particularly our claims to indemnity for spoliation which were committed on our commerce in the late wars.—For these interests and claims, it was in the contemplation of the parties to make provision at a subsequent day, by a more comprehensive and definitive treaty. The object has been duly attended to since, by the Executive, but as yet it has not been accomplished. It is hoped that a favorable opportunity will present itself for opening a negotiation, which may embrace and arrange all existing differences, and every other concern in which they have a common interest, upon the accession of the present King of France, an event which has occurred since the close of the last session of Congress.

With Great Britain, our commercial intercourse rests on the same footing that it did at the last session. By the convention of 1815, the commerce between the United States and the British dominions in Europe, and the East Indies, was arranged on a principle of reciprocity. That convention was confirmed and continued in force, with slight exceptions, by a subsequent treaty, for the term of ten years, from the 20th of October, 1818, the date of the latter. The trade with the British colonies in the West Indies, has not, as yet, been arranged by treaty, or otherwise, to our satisfaction. An approach to that result has been made by legislative acts, whereby many serious impediments which have been raised by the parties, in defence of their respective claims, were removed. An earnest desire exists, and has been manifested on the part of this government, to place the commerce with the colonies, likewise, on a footing of reciprocal advantage; and it is hoped, that the British government, seeing the justice of the proposal, and its importance to the colonies, will ere long, accede to it.

The Commissioners who were appointed for the adjustment of the boundary, between the territories of the United States and those of Great Britain, specified in the fifth article of the treaty of Ghent, having disagreed in their decision; and both governments having agreed to establish that boundary, by amicable negotiation between them, it is hoped that it may be satisfactorily adjusted in that mode. The boundary specified by the sixth article, has been established, by the decision of the commissioners. From the progress made in that provided for by the seventh, according to a report recently received, there is good cause to presume that it will be settled in the course of the ensuing year.

It is a cause of serious regret, that no arrangement has yet been finally concluded between the

two governments, to secure, by joint co-operation, the suppression of the slave trade. It was the object of the British government, in the early stages of the negotiation, to adopt a plan for the suppression, which should include the concession of the mutual right of search, by the ships of war of each party, of the vessels of the other, for suspected offenders. This was objected to by this government, on the principle that as the right of search was a right of war, of a belligerent towards a neutral power, it might have an ill effect to extend it, by treaty, to an offence which had been made comparatively mild to a time of peace. Anxious, however, for the suppression of this trade, it was thought advisable, in compliance with a resolution of the House of Representatives, founded on an Act of Congress, to propose to the British government an expedient, which should be free from that objection, and more effectual for the object, by making it piratical. In that mode, the enormity of the crime would place the offenders out of the protection of their government, and involve no question of search, or other question, between the parties, touching their respective rights. It was believed, also, that it would completely suppress the trade, in the vessels of both parties, and by their respective citizens and subjects in those of other powers, with whom, it was hoped, that the odium which would thereby be attached to it, would produce a corresponding arrangement, and by means thereof, its entire extirpation forever. A convention to this effect was concluded and signed in London, on the thirteenth day of March, 1824, by plenipotentiaries duly authorized by both governments, to the ratification of which certain obstacles have arisen, which are not yet entirely removed. The differences between the parties still remaining, has been reduced to a point, not of sufficient magnitude, as is presumed, to be permitted to defeat an object so near to the heart of both nations, and so desirable to the friends of humanity throughout the world. As objections, however, to the principle recommended by the House of Representatives, or at least to the consequences inseparable from it, and which are understood to apply to the law, have been raised, which may deserve a reconsideration of the whole subject, I have thought it proper to suspend the conclusion of a new convention until the definitive sentiments of Congress may be ascertained. The documents relating to the negotiation, are, with that intent, submitted to your consideration.

Our commerce with Sweden has been placed on a footing of perfect reciprocity, by treaty; and with Russia, the Netherlands, Prussia, the free Hanseatic Cities, the Dukedom of Oldenburg, and Sardinia, by internal regulations on each side, founded on mutual agreement, between the respective governments.

The principles upon which the commercial policy of the United States is founded, are to be traced to an early period. They are essentially connected with those upon which their independence was declared, and owe their origin to the enlightened men who took the lead in our affairs at that important epoch. They are developed in their first treaty of commerce with France, of the 6th of February, 1778, and by a formal commission which was instituted immediately after the conclusion of their revolutionary struggle, for the purpose of negotiating treaties of commerce with every European power. The first treaty of the United States with Prussia, which was negotiated by that commission, affords a signal illustration of those principles. The act of Congress of the 3d of March, 1815, adopted immediately after the return of a general peace, was a new overture to foreign nations, to establish our commercial relations with them, on the basis of free and equal reciprocity. That principle has pervaded all the



acts of Congress, and all the negotiations of the Executive on the subject since.

A Convention for the settlement of important questions, in relation to the North-West Coast of this continent, and its adjoining seas, was concluded and signed at St. Petersburg, on the

last, by the Minister Plenipotentiary of the United States, and Plenipotentiaries of the Imperial government of Russia. It will immediately be laid before the Senate, for the exercise of the constitutional authority of that body, with reference to its ratification. It is proper to add that the manner in which this negotiation was invited and conducted, on the part of the Emperor, has been very satisfactory.

The great and extraordinary changes which have happened in the governments of Spain and Portugal, within the last two years, without seriously affecting the friendly relations which, under all of them, have been maintained with those powers, by the United States, have been obstacles to the adjustment of the particular subjects of discussion, which have arisen with each. A resolution of the Senate, adopted at their last session, called for information, as to the effect produced upon our relations with Spain, by the recognition, on the part of the United States, of the independent South American governments. The papers containing that information, are now communicated to Congress.

A Charge d'Affaires has been received from the independent government of Brazil. That country, heretofore a colonial possession of Portugal, had some years since been proclaimed, by the sovereign of Portugal himself, an independent kingdom. Since his return to Lisbon, a revolution in Brazil has established a new government there, with an imperial title, at the head of which is placed the Prince in whom the regency had been vested, by the king, at the time of his departure. There is reason to expect, that by amicable negotiation, the independence of Brazil will ere long be recognized by Portugal herself.

With the remaining powers of Europe, with those on the coast of Barbary, and with all the new South American states, our relations are of a friendly character. We have ministers Plenipotentiary residing with the republics of Colombia and Chili, and have received ministers, of the same rank, from Colombia, Guatimala, Buenos Ayres and Mexico. Our commercial relations, with all those states, are mutually beneficial and increasing. With the republic of Colombia, a treaty of commerce has been formed, of which a copy is received, and the original daily expected. A negotiation for a like treaty, would have been commenced with Buenos Ayres, had it not been prevented by the indisposition and lamented decease of Mr. Rodney, our minister there, and to whose memory the most respectful attention has been shown, by the government of that republic. An advantageous alteration in our treaty with Tunis, has been obtained, by our consular agent residing there, the official document of which, when received, will be laid before the Senate.

The attention of the government has been drawn with great solicitude to other subjects, and particularly to that relating to a state of maritime war, involving the relative rights of neutral and belligerent in such wars. Most of the difficulties which we have experienced, and of the losses which we have sustained, since the establishment of our independence, have proceeded from the unsettled state of those rights, and the extent to which the belligerent claim has been carried against the neutral party. It is impossible to look back on the occurrences of the late wars in Europe, and to behold the disregard which was paid to our rights as a neutral power, and the waste which was made of our commerce by the parties to those wars, by various acts of their respective governments, and under the pretext by each that the other had set the example, without great mortification, and a fixed purpose never to submit to the like in future. An attempt to remove those causes of possible variance, by friendly negotiation, and on just principles, which should be applicable to all parties, could, it was presumed, be viewed by none, other than as a proof of an earnest desire to persevere those relations with every power. In the late war between France and Spain, a crisis occurred in which it seemed probable that all the controvertible principles, involved in such wars, might be brought into discussion, and acted to the satisfaction of all parties. Propo-

sitions having this object in view, have been made to the governments of Great Britain, France, Russia, and of other powers, which have been received in a friendly manner by all, but as yet no treaty has been formed with either for its accomplishment. The policy will, it is presumed, be persevered in, and in the hope that it may be successful.

It will always be recollected, that with one of the parties to those wars, and from whom we received those injuries, we sought redress by war. From the other, by whose then reigning government our vessels were seized in port, as well as at sea, and their cargoes confiscated, indemnity has been expected, but has not yet been rendered. It was under the influence of the latter that our vessels were likewise seized by the governments of Spain, Holland, Denmark, Sweden and Naples, and from whom indemnity has been claimed, and is still expected, with the exception of Spain, by whom it has been rendered. With both parties we had abundant cause of war, but we had no alternative but to resist that which was most powerful at sea, and pressed us nearest at home. With this all differences were settled by a treaty founded on conditions fair and honourable to both, and which has been so far executed with perfect good faith. It has been earnestly hoped, that the other would, of its own accord, and from a sentiment of justice and conciliation, make to our vessels the indemnity to which they are entitled, and thereby remove, from our relations, any just cause of discontent on our side.

It is estimated that the receipts into the Treasury during the current year, exclusive of loans, will exceed \$18,500,000, which, with the sum remaining in the Treasury at the end of the last year, amounting to \$9,463,922 81, will, after discharging the current disbursements of the year, the interest on the public debt, and upwards of \$11,635,911 82 of the principal, leave a balance of more than \$5,000,000 in the Treasury on the first day of January next.

A larger amount of the debt contracted during the late war, bearing an interest of six per cent. becoming redeemable in the course of the ensuing year, than could be discharged by the ordinary revenue, the act of 26th May, authorised a loan of \$5,000,000, at 4½ per cent. to meet the same. By this arrangement, an annual saving will accrue to the public, of 75,000 dollars.

Under the act of the 24th May last, a loan of \$5,000,000, was authorized, in order to meet the awards under the Florida treaty, which was negotiated at par with the Bank of the United States, at 4½ per cent. the limit of interest fixed by the act. By this provision, the claims of our citizens, who had sustained so great a loss by spoliation, and from whom indemnity had been so long withheld, were promptly paid. For these advances, the public will be amply repaid, at no distant day, by the sale of the lands in Florida. Of the great advantage resulting from the acquisition of the Territory, in other respects, too high an estimate cannot be formed.

It is estimated that the receipts into the Treasury, during the year 1835, will be sufficient to meet the disbursements of the year, including the sum of \$10,000,000 which is annually appropriated by the act constituting the Sinking Fund, for the payment of the principal and interest of the public debt.

The whole amount of the public debt, on the first day of January next, may be estimated at \$36,000,000, inclusive of \$2,500,000 of the loan authorized by the act of 26th May last. In this estimate is included a stock of \$7,000,000, issued for the purchase of that amount of the capital stock of the Bank of the United States, and which, as the stock of the Bank still held by the government, will at least be fully equal to its reimbursement, and not to be considered as constituting a part of the public debt. Estimating, then, the whole amount of the public debt at \$29,000,000, and regarding the annual receipts and expenditures of the government, a well-founded hope may be entertained, that, should no unexpected event occur, the whole of the public debt may be discharged in the course of ten years, and the government be left at liberty afterwards to apply such portion of the revenue as may not be necessary for current expenses, to such other objects as may be most conducive to the public security and welfare. That the sums applicable to these objects will be very considerable, may be fairly concluded, when it is recollected, that a large amount of the public revenue has been applied, since the late war, to the construction of the public buildings in this city, to the erection of fortifications along the coast, and of arsenals in different parts of the Union; to the augmentation of the Navy; to the extinguishment of the Indian title to large tracts of fertile territory; to the acquisition of Florida; to pensions to Revolutionary officers and soldiers; and to invalids of the late war. On many of these objects, the expense will annually be diminished, and at no distant period cease on most of them. On the first day of January, 1817, the public debt amounted to \$123,491,965 16; and, notwithstanding the large sums which have been applied to these objects, it has been reduced, since then, to \$37,416,961 73. The last portion of the public debt will be redeemable on the first of Jan. 1835, and while there is the best reason to believe that the resources of the government will be continually adequate to such portion of it as may become due, in the interval, it is recommended to Congress to seize every opportunity which may present itself, to reduce the rate of interest upon every part thereof. The high state of the public credit, and the great abundance of money, are at this time very favourable to such a result. It must be very gratifying to our fellow-citizens, to witness this flourishing state of the public finances, when it is recollected that no burden whatever has been imposed upon them.

The Military Establishment, in all its branches, in the performance of the various duties assigned to each, justifies the favourable view which was presented of the efficiency of its organization, at the last session. All the appropriations have been regularly applied to the objects intended by Congress; and, so far as the disbursements have been made, the accounts have been rendered and settled, without loss to the public. The condition of the army itself, as relates to the officers and men, in science and discipline, is highly respectable. The

Military Academy, on which the army essentially rests, and to which it is much indebted for this state of improvement, has attained, in comparison with any other institution of a like kind, a high degree of perfection. Experience, however, has shown, that the dispersed condition of the Corps of Artillery is unfavourable to the discipline of that important branch of the Military Establishment. To remedy this inconvenience, eleven companies have been assembled at the fortifications erected at Old Point Comfort, as a school for artillery instruction, with intention, as they shall be perfected in the various duties of that service, to order them to other posts, and to supply their places with other companies, for instruction in like manner. In this mode, a complete knowledge of the science and duties of this arm will be extended throughout the whole Corps of Artillery. But, to carry this object fully into effect, will require the aid of Congress; to obtain which, the subject is now submitted to your consideration.

Of the progress which has been made in the construction of Fortifications for the permanent defence of our maritime frontier, according to the plan decided on, and to the extent of the existing appropriations, the report of the Secretary of War, which is herewith communicated, will give a detailed account. Their final completion cannot fail to give great additional security to that frontier, and to diminish proportionally the expense of defending it in the event of war.

The provisions in the several acts of Congress of the last session, for the improvement of the navigation of the Mississippi and the Ohio, of the Harbour of Presque Isle on Lake Erie, and the repair of the Plymouth Beach, are in a course of regular execution; and there is reason to believe that the appropriation in each instance will be adequate to the object. To carry these improvements fully into effect, the superintendence of them has been assigned to officers of the Corps of Engineers.

Under the act of the 30th April last, authorizing the President to cause a survey to be made with the necessary plans and estimates of such roads and canals, as he might deem of national importance, in a commercial or military point of view, or for the transportation of the mail, a board has been instituted consisting of two distinguished officers of the Corps of Engineers and a distinguished Civil Engineer, with assistants, who have been actively employed in carrying into effect the objects of the act. They have carefully examined the route between the Potomac and the Ohio rivers; between the latter and Lake Erie; between the Allegheny and the Susquehanna; and the routes between the Delaware and the Raritan, Barnstable, and Buzzard's bay; and between Boston harbour and Narraganset bay. Such portion of the Corps of Topographical Engineers as could be spared from the survey of the coast, has been employed in surveying the very important route between the Potomac and the Ohio. Considerable progress has been made in it, but the survey cannot be completed until the next season. It is gratifying to add, from the view already taken, that there is good cause to believe that this great national object may be fully accomplished.

It is contemplated to commence early in the next season the execution of the other branch of the act, that which relates to roads, and with the survey of a route from this city, through the southern states, to New Orleans, the importance of which cannot be too highly estimated. All the officers of both the Corps of Engineers, who could be spared from other services, have been employed in exploring and surveying the routes for canals. To digest a plan for both objects for the great purposes specified, will require a thorough knowledge of every part of our Union, and of the relation of each act to the others, and of all to the seat of the General Government. For such a digest, it will be necessary that the information be full, minute, and precise. With a view to these important objects, I submit to the consideration of Congress, the propriety of enlarging both the Corps of Engineers, the Military and Topographical. It need scarcely be remarked, that the more extensively these Corps are engaged in the improvement of their country, in the execution of the powers of Congress, and in aid of the states, in such improvements as lie beyond that limit, when such aid is desired, the happier the effect will be, in many views, of which the subject is susceptible. By profiting of their science, the works will always be well executed; and by giving to the officers such employment, our union will derive all the advantage, in peace as well as in war, from their talents and services, which they can afford. In this mode also, the Military will be incorporated with the Civil, and unfounded and injurious distinctions and prejudices of every kind be done away. To the Corps themselves, this service cannot fail to be equally useful—since, by the knowledge they would thus acquire, they would be eminently better qualified, in the event of war, for the great purposes for which they were instituted.

Our relations with the Indian tribes, within our limits, have not been materially changed during the year. The hostile disposition evinced by certain tribes, on the Missouri, during the last year, still continues, and has extended, in some degree, to those on the upper Mississippi, and the upper Lakes. Several parties of our citizens have been plundered and murdered, by those tribes. In order to establish relations of friendship with them, Congress at the last session made an appropriation for treaties with them, and for the employment of a suitable military escort to accompany and attend the Commissioners at the places appointed for the negotiations. This object has not been effected. The season was too far advanced when the appropriation was made, and the distance too great to permit; but measures have been taken, and all the preparations will be completed, to accomplish it at an early period in the next season.

Believing that the hostility of the tribes, particularly on the upper Mississippi and the lakes, is, in no small degree, owing to the wars which are carried on between the tribes residing in that quarter, measures have been taken to bring about a general peace among them, which, if successful, will not only tend to the security of our citizens, but be of great advantage to the



Indians themselves. With the exception of the tribes referred to, our relations with all the others are on the most friendly footing; and it affords me great satisfaction to add, that they are making steady advances in civilization, and the improvement of their condition. Many of the tribes have already made great progress in the arts of civilized life. This desirable result has been brought about by the humane and persevering policy of the government, and particularly by means of the appropriation for the civilization of the Indians. There have been established, under the provisions of this act, thirty-two schools, containing nine hundred and sixteen scholars, who are well instructed in several branches of literature, and likewise in agriculture and the ordinary arts of life.

Under the appropriation to authorize treaties with the Creek and Quapaw Indians, Commissioners have been appointed and negotiations are now pending, but the result is not yet known.

For more full information, respecting the principle which has been adopted for carrying into effect the act of Congress authorizing surveys, with plans and estimates for canals and roads, and on every other branch of duty incident to the Department of War, I refer you to the report of the Secretary.

The squadron in the Mediterranean has been maintained in the extent which was proposed in the report of the Secretary of the Navy of the last year, and has afforded to our commerce the necessary protection in that sea. Apprehending, however, that the unfriendly relations which have existed between Algiers and some of the powers of Europe, might be extended to us, it has been thought expedient to augment the force there, and, in consequence, the "North Carolina," a ship of the line, has been prepared, and will sail in a few days to join it.

The force employed in the gulph of Mexico, and in the neighbouring Seas, for the suppression of piracy, has likewise been preserved essentially in the state in which it was during the last year. A persevering effort has been made for the accomplishment of that object, and much protection has thereby been afforded to our commerce, but still the practice is far from being suppressed. From every view which has been taken of the subject, it is thought that it will be necessary rather to augment than to diminish our force in that quarter. There is reason to believe that the pirates now complained of, are committed by bands of robbers who inhabit the land, and who, by preserving good intelligence with the Towns, and seizing favourable opportunities, rush forth and fall on unprotected merchant vessels, of which they make an easy prey. The pillage thus taken, they carry to their lurking places and dispose of afterwards at prices tending to seduce the neighbouring population. This combination is understood to be of great extent, and is the more to be deprecated because the crime of piracy is often attended with the murder of the crews, these robbers knowing, if any survived, their lurking places would be exposed, and they be caught and punished. That this atrocious practice should be carried to such extent, is cause of equal surprise and regret. It is presumed that it must be attributed to the relaxed and feeble state of the local governments, since it is not doubted, from the high character of the Governor of Cuba, who is well known and much respected here, that if he had the power, he would promptly suppress it. Whether those robbers should be pursued on the land, the local authorities be made responsible for these atrocities, or any other measure be resorted to to suppress them, is submitted to the consideration of Congress.

In execution of the laws for the Suppression of the Slave Trade, a vessel has been occasionally sent from that squadron to the coast of Africa, with orders to return thence by the usual track of the slave ships, and to seize any of our vessels which might be engaged in that trade. None have been found, and, it is believed, that none are still employed. It is well known, however, that the trade still exists under other flags.

The health of our squadron, while at Thompson's Island, has been much better during the present than it was the last season. Some improvements have been made, and others are contemplated there, which, it is believed, will have a very salutary effect.

On the Pacific our commerce has much increased; and on that coast, as well as on that sea, the United States have many important interests, which require attention and protection. It is thought that all the considerations which suggested the expediency of placing a squadron on that sea, operate with augmented force, for maintaining it there, at least, on equal extent.

For detailed information respecting the state of our maritime force on each sea, the improvement necessary to be made on either, in the organization of the Naval Establishment generally, and of the laws for its better government, I refer you to the Report of the Secretary of the Navy which is herewith communicated.

The revenue of the Post-Office Department has received a considerable augmentation in the present year. The current receipts will exceed the expenditures, although the transportation of the mail within the year has been much increased. A Report of the Postmaster-General, which is transmitted, will furnish, in detail, the necessary information respecting the administration and present state of this Department.

In conformity with a resolution of Congress, of the last session, an invitation was given to General La Fayette to visit the United States, with an assurance that a ship of war should attend at any port of France which he might designate, to receive and convey him across the Atlantic, whenever it might be convenient for him to sail. He declined the offer of the public ship, from motives of delicacy, but assured me that he had long intended, and would certainly visit our Union in the course of the present year. In August last he arrived at New-York, where he was received with the warmth of affection and gratitude to which his very important and disinterested services and sacrifices in our revolutionary struggle, so eminently entitled him. A corresponding sentiment has since been manifested in his favour throughout every portion of our Union, and affectionate invitations have been given him to extend his visits to them. To these he has yielded all the ac-

commodation in his power. At every designated point of rendezvous, the whole population of the neighbouring country has been assembled to greet him; among whom it has excited in a peculiar manner the sensibility of all, to behold the surviving members of our revolutionary contest, civil and military, who had shared with him in the toils and dangers of the war, many of them in a decrepid state. A more interesting spectacle, it is believed, was never witnessed, because none could be founded on paper principles, none proceed from higher or more disinterested motives. That the feelings of those who had fought and bled with him, in a common cause, should have been much excited, was natural. There are, however, circumstances attending these interviews, which pervaded the whole community, and touched the breasts of every age, even the youngest among us. There was not an individual present, who had not some relative who had not partaken in those scenes, nor an infant who had not heard the relation of them. But the circumstance which was most sensibly felt, and which his presence brought forcibly to the recollection of all, was the great cause in which we were engaged, and the blessings which we have derived from our success in it. The struggle was for independence and liberty, public and personal, and in this we succeeded. The meeting with one who had borne so distinguished a part in that great struggle, and from such lofty and disinterested motives, could not fail to affect profoundly every individual, and of every age. It is natural that we should all take a deep interest in his future welfare, as we do. His high claims on our Union are felt, and the sentiment universal that they should be met in a generous spirit. Under these impressions, I invite your attention to the subject, with a view, that, regarding his very important services, losses and sacrifices, a provision may be made and tendered to him, which shall correspond with the sentiments, and be worthy the character, of the American people.

In turning our attention to the condition of the civilized world, in which the United States have always taken a deep interest, it is gratifying to see how large a portion of it is blessed with peace. The only wars which now exist within that limit, are those between Turkey and Greece, in Europe, and between Spain and the new governments, our neighbours, in this hemisphere. In both these wars, the cause of Independence, of Liberty, and Humanity, continues to prevail. The success of Greece, when the relative population of the contending parties is considered, commands our admiration and applause, and that it has had a similar effect with the neighbouring powers, is obvious. The feeling of the whole civilized world is excited, in a high degree, in their favour. May we not hope that these sentiments, winning on the hearts of their respective governments, may lead to a more decisive result, that they may produce an accord among them, to replace Greece on the ground which she formerly held, and to which her heroic exertions, at this day, so eminently entitle her?

With respect to the contest, to which our neighbours are a party, it is evident that Spain, as a power, is scarcely felt in it. These new States had completely achieved their independence, before it was acknowledged by the United States, and they have since maintained it, with little foreign pressure. The disturbances which have appeared in certain portions of that vast territory have proceeded from internal causes, which had their origin in their former governments, and have not yet been thoroughly removed. It is manifest that these causes are daily losing their effect, and that these new States are settling down under governments elective and representative in every branch, similar to our own. In this course we ardently wish them to persevere, under a firm conviction that it will promote their happiness. In this, their career, however, we have not interfered, believing that every people have a right to institute for themselves the government which, in their judgment, may suit them best. Our example is before them, of the good effect of which, being our neighbours, they are competent judges, and to their judgment we leave it, in the expectation that other powers will pursue the same policy. The deep interest which we take in their independence, which we have acknowledged, and in their enjoyment of all the rights incident thereto, especially in the very important one of instituting their own governments, has been declared, and is known to the world. Separated, as we are, from Europe by the great Atlantic Ocean, we can have no concern in the wars of the European governments, nor in the causes which produce them. The balance of power between them, into which ever scale it may turn, in its various vibrations, cannot affect us. It is the interest of the United States to preserve the most friendly relations with every power, and on conditions fair, equal, and applicable to all. But in regard to our neighbours, our situation is different. It is impossible for the European governments to interfere in their concerns, especially in those alluded to, which are vital, without affecting us; indeed, the motive which might induce such interference in the present state of the war between the parties, if a war it may be called, would appear to be equally applicable to us. It is gratifying to know that some of the powers with whom we enjoy a very friendly intercourse, and to whom these views have been communicated, have appeared to acquiesce in them.

The augmentation of our population, with the expansion of our Union, and increased number of States, have produced effects in certain branches of our system, which merit the attention of Congress. Some of our arrangements, and particularly of the judiciary establishment, were made with a view to the original thirteen States only. Since then the United States have acquired a vast extent of territory; eleven new States have been admitted into the Union, and territories have been laid off for three others, which will likewise be admitted at no distant day. An organization of the Supreme Court, which assigns to the judges any portion of the duties which belong to be inferior, requiring their passage over so vast a space, under any distribution of the States that may now be made, is not practicable in the execution, must render it impossible for them to discharge the duties of either branch, with advantage to the Union. The duties of the Supreme Court would

be of great importance, if its decisions were confined to the ordinary limits of other tribunals; but when it is considered that this Court decides, and in the last resort, on all the great questions which arise under our constitution, involving those between the United States, individually, between the States and the United States, and between the latter and foreign powers, too high an estimate of their importance cannot be formed. The great interests of the nation seem to require that the Judges of the Supreme Court should be exempted from every other duty than those which are incident to that high trust. The organization of the inferior Courts would, of course, be adapted to circumstances. It is presumed that such a one might be formed as would secure an able and faithful discharge of their duties, and without any material augmentation of expense.

The condition of the Aborigines within our limits, and especially those who are within the limits of any of the States, merits likewise particular attention. Experience has shown, that unless the tribes be civilized, they can never be incorporated into our system, in any form whatever. It has likewise shown, that in the regular augmentation of our population, with the extension of our settlements, their situation will become deplorable, if their extinction is not prevented. Some well-digested plan, which will rescue them from such calamities, is due to their rights, to the rights of humanity, and to the honor of the nation. Their civilization is indispensable to their safety, and this can be accomplished only by degrees. The process must commence with the infant state, through whom some effect may be wrought on the parental. Difficulties of the most serious character present themselves to the attainment of this very desirable result, on the territory on which they now reside. To remove them from it by force, even with a view to their own security and happiness, would be revolting to humanity, and utterly unjustifiable. Between the limits of our present States and Territories, and the Rocky Mountain, and Mexico, there is a vast territory to which they might be invited, with inducements which might be successful. It is thought, if that territory should be divided into districts, by previous agreement with the tribes now residing there, and civil governments be established in each, with schools for every branch of instruction in literature, and in the arts of civilized life, that all the tribes now within our limits might gradually be drawn there. The execution of this plan would necessarily be attended with expense, and that not inconsiderable, but it is doubted whether any other can be devised which would be less liable to that objection, or more likely to succeed.

In looking to the interests which the United States have on the Pacific Ocean, and on the Western coast of this continent, the propriety of establishing a military post at the mouth of Columbia river, or at some other point in that quarter, within our acknowledged limits, is submitted to the consideration of Congress. Our commerce and fisheries on that sea and along the coast, have much increased, and are increasing. It is thought that a military post, to which our ships of war might resort, would afford protection to every interest, and have a tendency to conciliate the tribes to the north-west, with whom our trade is extensive. It is thought also, that by the establishment of such a post, the intercourse between our western States and territories and the Pacific, and our trade with the tribes residing in the interior, on each side of the Rocky Mountain, would be essentially promoted. To carry this object into effect, the appropriation of an adequate sum to authorize the employment of a frigate, with an officer of the corps of Engineers, to explore the mouth of the Columbia river, and the coast contiguous thereto, to enable the Executive to make such establishment at the most suitable point, is recommended to Congress.

It is thought that attention is also due to the improvement of this city. The communication between the public buildings, and in various other parts and the grounds around those buildings, require it. It is presumed, also, that the completion of the Canal from the Tiber to the Eastern Branch, would have a very salutary effect. Great exertions have been made, and expenses incurred, by the citizens, in improvements of various kinds; but those which are suggested belong exclusively to the government, or are of a nature to require expenditures beyond their resources. The public lots which are still for sale, would, it is not doubted, be more than adequate to these purposes.

From the view above presented, it is manifest that the situation of the United States, is in the highest degree prosperous and happy. There is no object which, as a people, we can desire, which we do not possess, or which is not within our reach. Blessed with governments the happiest which the world ever knew, with no distinct orders in society, or divided interests in any portion of the vast territory over which their dominion extends, we have every motive to cling together which can animate a virtuous and enlightened people. The great object is to preserve these blessings, and to hand them down to our latest posterity. Our experience ought to satisfy us that our progress, under the most correct and provident policy, will not be exempt from danger. Our institutions form an important epoch in the history of the civilized world. On their preservation, and in their utmost purity, every thing will depend. Extending, as our interests do, to every part of the inhabited globe, and to every sea, to which our citizens are carried by their industry and enterprise, to which they are invited by the wants of others and have a right to go, we must either protect them, in the enjoyment of their rights, or abandon them, in certain events, to waste and desolation. Our attitude is highly interesting, as relates to other powers, and particularly to our Southern neighbors. We have duties to perform, with respect to all, to which we must be faithful. To every kind of danger, we should pay the most vigilant and unceasing attention; remove the cause where it may be practicable, and be prepared to meet it when inevitable.

Against foreign danger the policy of the government seems to be already settled. The events of the late war admonished



to make our maritime frontier impregnable, by a well-directed chain of fortifications, and to give efficient protection to our commerce by augmenting our Navy to a certain extent, which has been steadily pursued, and which it is incumbent upon us to complete as soon as circumstances will permit. In the event of war, it is on the maritime frontier that we shall be assailed. It is in that quarter, therefore, that we should be prepared to meet the attack. It is there that our whole force will be called into action to prevent the destruction of our towns, and the desolation and pillage of the interior. To give full effect to this policy, great improvements will be indispensable. Access to those works, by every practicable communication, should be made easy, and in every direction. The intercourse also between every part of our Union, should be promoted and facilitated by the exercise of those powers which may comport with a faithful regard to the great principles of our Constitution. With respect to internal causes, these great principles point out, with equal certainty, the policy to be pursued. Resting on the people, as our governments do, State and National, with well-defined powers, it is of the highest importance that they severally keep within the limits prescribed to them. Fulfilling that sacred duty, it is of equal importance that the movement between them be harmonious, and, in case of any disagreement, should any such occur, a calm appeal be made to the people, and their voice be heard and promptly obeyed. But governments being instituted for the common good, we cannot fail to prosper, while those who made them are attentive to the conduct of their representatives, and control their measures. In the pursuit of these great objects, let a generous spirit and national views and feelings be indulged, and let every part recollect that, by cherishing that spirit, and improving the condition of the others, in what relates to their welfare, the general interest will not only be promoted, but the local advantages be reciprocated.

I cannot conclude this communication, the last of the kind which I shall have to make, without recollecting with great sensibility and heart-felt gratitude, the many instances of the public confidence, and the generous support, which I have received from my fellow-citizens, in the various trusts with which I have been honoured. Having commenced my service in early youth, and continued it since, with few and short intervals, I have witnessed the great difficulties to which our Union has been exposed, and admired the virtue and courage with which they were surmounted. From the present prosperous and happy state, I derive a gratification which I cannot express. That these blessings may be preserved and perpetuated, will be the object of my fervent and unceasing prayers to the Supreme Ruler of the Universe.

JAMES MONROE.

Washington, Dec. 7, 1824.

### State Papers.

*Documents accompanying the Message of the President of the United States, to both Houses of Congress, at the commencement of the second session of the eighteenth Congress.*

DOCUMENTS FROM THE DEPARTMENT OF STATE. Papers in relation to the Convention between the United States and Great Britain, for the suppression of the Slave Trade, communicated, with the President's message, to Congress, on the 7th December, 1824.

[The whole of the first series of the documents having been heretofore officially published in the National Government Journal, their re-publication at this time is dispensed with. They will be found in fol. 481-512.]

#### No. II.—Mr. Adams to Mr. Rush.

DEPARTMENT OF STATE, Washington, 29th May, 1824.

SIR: The convention between the United States and Great Britain, for the suppression of the African slave trade, is herewith transmitted to you, with the ratification on the part of the United States, under certain modifications and exceptions, annexed as conditions to the advice and consent of the Senate to its ratification.

The participation of the Senate of the United States in the final conclusion of all treaties, to which they are parties, is already well known to the British Government; and the novelty of the principles established by the convention, as well as their importance, and the requisite assent of two-thirds of the Senators present, to the final conclusion of every part of a ratified treaty, will explain the causes of its ratification under this form. It will be seen, that the great & essential principles which form the basis of the compact are admitted, to their full extent, in the ratified part of the convention. The second article, and the portion of the seventh, which it is proposed to expunge, are unessential to the plan, and were not included in the project of convention transmitted to you from hence. They appear, indeed, to be, so far as concerned the United States, altogether inoperative, since they could not confer the power of capturing slave traders under the flag of a third party—a power not claimed, either by the United States or Great Britain, unless by treaty, and the United States having no such treaty with any other power. It is presumed that the bearing of those articles was exclusively upon the flags of those other nations with which Great Britain has already treaties for the suppression of the slave trade, and that, while they give an effective power to the officers of Great Britain, they conferred none upon those of the United States.

The exception of the coast of America from the seas upon which the mutual power of capturing the vessels under the flag of either party, may be exercised, had reference, in the views of the Senate, doubtless, to the coast of the United States. On no part of that coast, unless within the Gulf of Mexico, is there any probability that slave-trading vessels will ever be

found. The necessity for the exercise of the authority to capture is, therefore, no greater than it would be upon the coast of Europe. In South America, the only coast to which slave traders may be hereafter expected to resort, is that of Brazil, from which, it is to be hoped, they will shortly be expelled by the laws of the country.

The limitation by which each party is left at liberty to renounce the convention, by six months' notice to the other, may perhaps be useful in reconciling other nations to the adoption of its provisions. If the principles of the convention are to be permanently maintained, this limitation must undoubtedly be abandoned; and when the public mind shall have been familiarized to the practical operation of the system, it is not doubted that this reservation will on all sides be readily given up.

In giving these explanations to the British government, you will state that the President was fully prepared to have ratified the convention without alteration, as it had been signed by you. He is aware that the conditional ratification leaves the British government at liberty to concur therein, or to decline the ratification altogether; but he will not disguise the wish, that, such as it is, it may receive the sanction of Great Britain, and be carried into effect. When the concurrence of both governments has been at length obtained, by exertions so long and so anxiously continued, to principles so important, and for purposes of so high and honourable a character, it would prove a severe disappointment to the friends of freedom and of humanity, if all prospect of effective concert between the two nations, for the extirpation of this disgrace to civilized man, should be lost by differences of sentiment, in all probability transient, upon unessential details.

Should the convention, as ratified on the part of the United States, be likewise ratified on the part of Great Britain, you will exchange the ratifications, and forthwith transmit the British ratified copy to this place. On exchanging the ratifications, a certificate of that act is usually executed under the hand and seal of the persons performing it, and mutually delivered. A copy of the form of that used in exchanging the ratifications of the convention of 20th October, 1815, is herewith enclosed, and it appears to be the form generally used on such occasions by the British government. You will transmit the certificate exchanged, with the British ratification. To complete the documents belonging to the negotiation, a copy of the full power of the British Plenipotentiaries, and of the protocol of the third conference, are yet to be forwarded to us.

By the ninth article of the convention, it is provided that copies of it, "and of the laws of both countries, actually in force, for the prohibition and suppression of the slave trade, shall be furnished to every commander of the National vessels of either party, charged with the execution of those laws." The fulfilment of this article will require the continued and particular attention of both governments. I enclose, herewith, a printed pamphlet, containing all the laws of the United States on this subject, now in force. It is stated in your despatches to have been the intention of the British government to consolidate into one act, during the present session of Parliament, all the British laws relating to the subject; and perhaps Congress, at their next session, may deem it expedient to do the same here. At all events, you will not fail to forward to me a copy of all the laws in force, which come within the purview of the convention; and although not expressly stipulated in that instrument, you will suggest to the British government, that copies of the Instructions relating to this object, given by each of the parties to its own naval officers, should be communicated to the other, and furnished to all the officers, on either side, entrusted with the execution of the laws made by this convention, common to both. Lists of the vessels of either party, and of their commanders, thus instructed, might also facilitate the accomplishment of the great purposes of both, and harmonize the practical operation of a system, not less important by the magnanimous end to be obtained, than by the novelty of the means adopted for its accomplishment.

The conclusion of this convention has been highly satisfactory to the President, whose entire approbation of the course pursued by you in the negotiation of it, I am instructed to make known to you. He indulges the hope that it will, even as now modified, contribute largely to two objects of high importance: to the friendly relations between the two countries, and to the general interests of humanity. He sees in it, with much pleasure, that spirit of mutual accommodation, so essential to the continuance and promotion of their harmony and good understanding; and welcomes it as an earnest of the same spirit, in accomplishing the adjustment of the other interesting objects in negotiation between the two parties.

I am, with great respect, sir, your very humble and obedient servant,  
JOHN QUINCY ADAMS.

RICHARD RUSH, Envoy Extraordinary and Minister Plenipotentiary U. S. London.

#### III.

*Extract of a letter from Mr. Rush to Mr. Adams, dated London, June 28th, 1824.*

"I have this day had the honour to receive your despatch, No. 79, of the 29th of May, with the Convention for the Suppression of the Slave Trade, as ratified on the part of the United States, under certain modifications and exceptions, annexed as conditions to the advice and consent of the Senate to its ratification.

"I shall proceed, immediately, to lay the Convention, as thus ratified, before this Government, and endeavour to recommend to its acceptance the modifications and exceptions, now a part of the instrument, by all the suggestions and arguments with which your despatch has supplied me."

#### IV.

*Extract of a letter from Mr. Rush to Mr. Adams, dated London, July 5, 1824.*

"I have had one interview with Mr. Secretary Canning, since the 29th of last month, on the business of the Convention for the Suppression of the Slave Trade; but, as yet, am not able to communicate any of the sentiments of this Government in relation to it. You shall hear them from me at the earliest moment after I am myself apprised of them."

#### No. V.

*Extracts of a letter from Mr. Rush to Mr. Adams, dated London, August 9, 1824.*

"I have the honour to inform you that Mr. Secretary Canning has given me to understand, in an interview which I have this day had with him, that this Government finds itself unable to accede to the Convention for the Suppression of the Slave Trade, with the alterations and modifications that have been annexed to its ratification on the part of the United States. He said that none of these alterations or modifications would have formed insuperable bars to the consent of Great Britain, except that which had expunged the word America, from the first article, but that this was considered insuperable."

"The reasons which Mr. Canning assigned for this determination on the part of Great Britain, I forbear to state, as he has promised to address a communication, in writing, to me, upon the subject, where they will be seen more accurately, and at large; but to guard against any delay in my receiving that communication, I have thought it right not to lose any time in thus apprising you, for the President's information, of the result."

#### No. VI.—Mr. Rush to Mr. Adams.

(No. 11.) London, August 30, 1824.

SIR: I had the honour to apprise you, in my letter of the 9th inst., that Mr. Secretary Canning had informed me, in an interview that I had with him on that day, that this Government would decline acceding to the Convention for the Suppression of the Slave Trade, as ratified in May on the part of the United States, and that he promised to address me an official note upon this subject. This note I received on Saturday the 28th instant, the delay having arisen from an attack of fever under which he has been labouring. A copy of it is, herewith, enclosed.

I lost no time, after receiving your instructions of the 29th of May, in laying the matter of them before Mr. Canning, having, on the 30th of June, written him a note to request an interview, for the purpose of executing this duty, which he granted me, at the Foreign Office, on the first of July. It was in that interview that I laid fully before him all the considerations and arguments for the adoption of the treaty as ratified at Washington, with which your above instructions had charged me, omitting no part of them. He gave no opinion at that time, on the course which this Government would be likely to pursue, but, afterwards, on the 9th of August, informed me, as I have heretofore mentioned, that the omission of the words, "and America," from the first article of the treaty, was considered, by Great Britain, as an insuperable objection to its acceptance on her part, and to this effect is the note which I now transmit from him. A copy of my answer to it, dated to-day, is enclosed.

It may be proper for me to state, that, whilst Mr. Canning, in the interview I had with him on the ninth of August, was assigning the reasons of this Government, as they will now be seen in his note, for not acceding to the treaty, took occasion to remark, that Great Britain would be willing to give to the omitted words a meaning that would restrict their operation to the southern portion of North America, as proximate to the British West Indies, excluding the range of coast which comprehended the middle and northern states, if I thought that such a plan would be acceptable to my Government. I immediately and most decidedly disavowed such a proposition, as objectionable under every view. He replied, that, having no other object in making the intimation than that of preventing the treaty from falling through, and not knowing himself in what light it might be received, he had of course nothing more to say, after learning from me that it would be objectionable.

I avail myself of this opportunity to forward to you a copy of the act of the last session of Parliament for consolidating the laws of this realm for the abolition of the slave trade, as requested in your communication of the 29th of May.

I have the honour to remain, &c.  
RICHARD RUSH.  
The Hon. JOHN QUINCY ADAMS,  
Secretary of State.

#### No. IX.—Mr. George Canning to Mr. Rush.

FOREIGN OFFICE, Aug. 27, 1824.

SIR: In pursuance of what I stated to you in our late conference, I have now the honor to address you on the subject of the qualified ratification, on the part of your Government, of the treaty for the more effectual suppression of the slave trade, which was concluded and signed in the month of March last, by you and his Majesty's plenipotentiaries.

His Majesty's government have given the most anxious and deliberate consideration to this subject, and if the result of that consideration has been to decide that they cannot advise his Majesty to accept the American ratification, (notwithstanding the arguments alleged by you, in the name of your government, in favour of such acceptance,) I entreat you to believe it is not from any diminished sense of the importance of the matter to which that treaty relates.

Nor do they at all undervalue the desire which, as you have assured me, and as they really believe, was felt by the President of the United States, to adopt the provisions of the treaty, such as it was transmitted to America. But the result is not the less inconvenient.

A treaty, of which the basis was laid in propositions framed by the American government, was considered here as so likely to be made a subject of renewed discussion in America, that not a moment was lost in ratifying it, on the part of his Majesty; and his Majesty's ratification was ready to be exchanged against that of the United States when the treaty came back; not as it had been sent to America, but with material variations—variations not confined to those stipulations, or parts of stipulations, which had been engraven upon the original project, but extending to that part of the original project itself which had passed unchanged through the negotiation.

The knowledge that the constitution of the United States renders all their diplomatic compacts liable to this sort of revision, undoubtedly precludes the possibility of taking exception at any particular instance in which that revision is exercised; but the repetition of such instances does not serve to re-



concede to the practice the feelings of the other contracting party, whose solemn ratification is thus rendered of no avail, and whose concessions in negotiation having been made, (as all such concessions must be understood to be made,) conditionally, are thus accepted as positive and absolute, while what may have been the stipulated price of those concessions is withdrawn.

In the instance before us, the question before us is not merely of form. A substantial change is made in the treaty; and, as I have said, on a point originally proposed by yourself, sir, as the American plenipotentiary, and understood to be proposed by the special direction of your government.

The right of visiting vessels suspected of slave-trading, when extended alike to the West Indies and to the coast of America, implied an equality of vigilance, and did not necessarily imply the existence of grounds of suspicion on either side.

The removal of this right, as to the coast of America and its continuance to the West Indies, cannot but appear to imply the existence, on one side, and not on the other, of a just ground either of suspicion of misconduct, or for apprehension of an abuse of authority.

To such an equality, leading to such an inference, his Majesty's government can never advise his Majesty to consent. It would have been rejected if proposed in the course of negotiation. It can still less be admitted as a new demand, after the conclusion of the treaty.

With the exception of this proposed omission, there is nothing in the alterations made by the Senate of the United States, in the treaty, (better satisfied as his Majesty's government undoubtedly would have been if they had not been made) which his Majesty's government would not rather agree to agree to adopt, than suffer the hopes of good, to which this arrangement had given rise, to be disappointed.

Upon this omission, they trust the Senate of the United States will, on another consideration of the subject, see that it is not equitable to insist.

A full power will therefore be sent to Mr. Addington, his Majesty's charge d'affaires, at Washington, to conclude and sign, with any plenipotentiary to be appointed by the American government, a treaty, verbatim the same as the returned treaty would be, with all the alterations introduced into it by the Senate excepting only the proposed omission of the words "and America," in the first article; which treaty, if transmitted to England, with the ratification of the government of the United States, his Majesty will be ready to ratify.

But I am to apprise you, Sir, that his Majesty will not be advised to appoint plenipotentiaries to conclude and sign the like treaty *here*, to be, as before, ratified by his Majesty, and to be again subjected, after ratification by his Majesty, to alterations by the Senate of the United States.

I am confident that you will see, in this distinction, nothing more than a reasonable safeguard for his Majesty's dignity, and a just desire to ascertain, before his Majesty again ratifies a diplomatic instrument, to what conditions that ratification is affixed.

I have the honor to be, with the highest consideration, sir, your most obedient servant,  
GEORGE CANNING.  
To Richard Rush, Esq. &c. &c.

Nov. VI. (b.)  
Mr. Rush to Mr. G. Canning.

LONDON, August 30, 1824.

SIR: I had the honour to receive, on the 28th inst. your note of the 2d of this month, giving me information that his Britannic Majesty's government have declined, for the reasons you have enumerated, advising his Majesty to accept the ratification, by the President and Senate of the United States, of the treaty for the suppression of the slave trade, lately signed on behalf of the two powers, in manner and form as that ratification had been made known by me to his Majesty's government.

Having already, sir, had the honour to lay before you all the reasons that operated with my government for giving way to the desire, and the hope, that his Majesty's government might have felt able to accept the treaty, with the alterations introduced by the Senate as conditions of its ratification, I have only to express my regret at the disappointment of his hope.

All power over the instrument on my part, as the Plenipotentiary of the United States at his Majesty's court, ceasing by this decision, it only remains for me to say, that I will, with promptitude, transmit to my government a copy of your note, at which source it will receive, I am sure, all the attention due to the high interests of which it treats.

I have the honour to be, with distinguished consideration, Sir, your most obedient servant,  
RICHARD RUSH.  
The Rt. Hon. GEORGE CANNING, His Majesty's Principal Secretary of State for Foreign Affairs.

No. VII.—Mr. Adams to Mr. Rush.

DEPARTMENT OF STATE,  
Washington, Nov. 12, 1824.

SIR: Your despatches, to Nos. 395, and 12, inclusive, have been received. The proposal for the negotiation of a new convention, for the suppression of the slave-trade, will receive the deliberate consideration of the President.

It is observed, with regret, that the reasons assigned in Mr. Secretary Canning's letter of 27th August, to you, as having induced the British Government to decline the ratification of that which you had signed, as modified by the advice and consent of the Senate of the United States, appear to have arisen from impressions altogether erroneous. It is stated, that, under the expectation that the treaty would not be made a subject of renewed discussion in the United States, it had actually been ratified on the part of the British Government as at first concluded; and hence an argument of inconvenience is deduced, that a second, and qualified ratification, could not be given, without impairing the dignity of the Government by the implication that the former ratification had been an act of the Sovereign, performed in vain.

To give weight to this reasoning, it would seem an essential part of the facts, that the ratification alluded to had been trans-

mitted to the United States; or at least that it was known to have taken place by the Government of the United States, at the time when the convention came under the consideration of the Senate. This, however, was not the case. That it had been ratified in Great Britain, was neither known nor believed. It appears to have been an act altogether voluntary, and in no wise referring to that which was expected on the part of the United States. The argument, therefore, rests upon facts other than those which were really applicable to the subject.

While admitting that the knowledge of those provisions of our constitution, which reserve to the Senate the right of revising all treaties with foreign powers, before they can obtain the force of law, precludes the possibility of taking exception to any particular instance in which that revision is exercised, Mr. Canning urges that this part of our system operates unfavourably upon the feelings of the other contracting party, whose solemn ratification, he says, is thus rendered of no avail; and whose concessions in negotiation, having been made, (as all such concessions must be understood to be made,) conditionally, are thus accepted as positive and absolute, while, what may have been the stipulated price of those concessions, is withdrawn.

It may be replied, that, in all cases of a treaty, thus negotiated, the other contracting party, being under no obligation to ratify the compact, before it shall have been ascertained whether, and in what manner, it has been disposed of in the United States, its ratification can in no case be rendered unavailing by the proceedings of the Government of the United States upon the treaty. And that every Government contracting with the United States, and with a full knowledge that all their treaties, until sanctioned by the constitutional majority of their Senate, are, and must be, considered as merely inchoate, and not consummated compacts, is entirely free to withhold its own ratification until it shall have knowledge of the ratification on their part. In the full powers of European governments to their ministers, the sovereign usually promises to ratify that which his minister shall conclude in his name; and yet, if the minister transgress his instructions, though not known to the other party, the sovereign is not held bound to ratify his engagements. Of this principle Great Britain has once availed herself, in her negotiations with the United States. But the full powers of our ministers abroad are necessarily modified by the provisions of our constitution, and promise the ratification of treaties signed by them, only in the event of their receiving the constitutional sanction of our own government.

If this arrangement does, in some instances, operate as a slight inconvenience to other governments, by interposing an obstacle to the facility of negotiation, it is, on the other hand, essential to guard against evils of the deepest import to our own nation, utterly incompatible with the genius of our institutions, and it is supported by considerations to which the equitable sense of other nations cannot fail to subscribe.

The treaties of the United States, are, together with their Constitution, the supreme law of the land. The power of contracting them is, in the first instance, given to the President, a single individual. If negotiated abroad, it must be by a minister or ministers under his appointment; and if in Europe, with powers largely discretionary—the distances seldom permitting opportunities to the minister of consulting his Government for instructions, during the progress of the negotiation. Were there no other check or control over this power, and were there an obligation, even of delicacy, requiring the unqualified sanction of every treaty so negotiated, the result would be an authority possessed by every minister of the United States entrusted with a full power for negotiating a treaty to change the laws of this Union, upon objects of the first magnitude to the interests of the nation.

In their negotiations with each other, the European nations are generally so near, and the communications between them are so easy and regular, that a negotiator can seldom have a justifiable occasion to agree to any important stipulation, without having an opportunity of asking and receiving the instructions of his government; a practice always and peculiarly resorted to by the British plenipotentiaries. With an intervening ocean, this is seldom possible, and it is, therefore, just and proper, that the right of judgment upon all the stipulations agreed to by a minister, should be reserved, in the most unqualified manner, to both governments, parties to the treaty; and that every compact, so negotiated should be understood to be signed by the minister *remote* from his own country, only *sub specie*; not conclusive upon his nation, until its government shall have passed sentence of approbation upon it.

These general observations are submitted, in order that you may make such use of them as you shall deem expedient to satisfy the British Government, that in this established principle of our Constitution, there is nothing to which any foreign government can justly take exception; and that it only reserves to our government a power of supervision, necessary for our own safety, which the European governments effectively reserve to themselves, and none more cautiously than Great Britain.

I am, with great respect, sir, your very humble and obedient servant,

JOHN QUINCY ADAMS.

R. Rush, Esq. Envoy, &c. London.

No. VIII.—Mr. Addington to Mr. Adams.

WASHINGTON, 6th Nov. 1824.

SIR: You have already been apprised of the circumstance of His Majesty, my sovereign, having declined affixing his ratification to the convention concluded in London on the 13th of March last, between the British and American Plenipotentiaries, for the more effectual suppression of the slave trade, as amended and qualified as that instrument had been by the Senate of the United States.

In lieu of that convention, however, His Majesty proposes to the American Government to substitute another, *verbatim* the same as the amended instrument, one point alone excepted: that exception is, the erasure of the word "America," in the

first article, a word which stood in the original project of the article, as proposed by the President to the British Government, but which the United States thought fit after the mutual acquiescence of both parties in it, to expunge.

In announcing to you the fact of my having been furnished with full powers to conclude and sign with the American Government a new treaty, such as I have above described, it will be unnecessary for me to enter at length into the motives which have actuated His Majesty in coming to this decision, as you have already been made acquainted with those motives, through the medium of an official letter, addressed, on the 27th of August last, by his Majesty's Secretary of State, to the American Envoy in London, in which all the grounds of that determination are fully expounded.

A few observations, on my part, however, in brief allusion to one or two points connected with this subject, may here be not misplaced.

In the acquiescence of his Majesty in all the alterations, with one only exception, effected by the Senate in a treaty originally projected by this government, at the spontaneous recommendation of the House of Representatives, the President will, I doubt not, see the clearest manifestation of the earnest desire of his Majesty's Government to carry into effect the important and salutary object for which that treaty was designed, however they may have deemed the original form in which the treaty was presented for the ratification of this government, the best calculated to attain that object.

To the amendment which would exempt the shores of America from that vigilance which is to be employed on those of the British West Indies, thereby destroying that equality which is the prevailing principle of the provisions of the treaty, and which cannot be withdrawn on the one side, or on the other, consistently with the mutual respect and confidence which subsist between the two contracting parties, his Majesty has found himself unable to accede; and, I doubt not, that upon a fair and unbiased reconsideration of that point, the American Government will see and acknowledge the justice of his Majesty's views, and will not hesitate to prove that acknowledgment, by consenting to re-admit the expunged word "America," into the treaty.

It will not fail, sir, to occur to you, that the condition required of Great Britain, prior to the signature of the treaty by the American Plenipotentiary, namely, the denunciation as piracy by the British Parliament, of the slave-trade, when exercised by British subjects, has already been fulfilled.

On the justice of accepting the value already paid for a stipulated act, and withholding the performance of that act, I leave it, with confidence, to your own sense of honor and equity to determine.

The sanction of this government of the original provisions of the treaty in full, was the equivalent to be received by his Majesty, for his performance of the condition required of him, namely, his sanction of an Act of Parliament declaring the slave trade piracy. Those provisions have been, in part, rejected, in part modified, by this government; and yet he Majesty is still willing to abide by his original agreement provided this government will recede from one, alone, of the various amendments made by them in the treaty.

I might here cite, as a proof, if proof were necessary, of the unlimited confidence which his Majesty reposed in the good faith of the Government of this Republic, and their sincerity in wishing to execute the treaty signed by their Plenipotentiary in London—a treaty, I repeat, projected in conformity with the express recommendation of the House of Representatives, that his Majesty affixed, without delay, his own ratification to the treaty, in full security of that instrument being equally inviolable with that of this government. No shadow of a suspicion ever entered, ever could enter, his Majesty's mind, that that ratification could be withheld, in whole or in part.

Under all the circumstances of the case, sir, I cannot but feel an entire conviction, that the sense of justice, and the right feelings which animate the American Government, will lead them to accede, without hesitation, to the proposition now submitted to them on the part of his Majesty, and that the President will find no difficulty in sanctioning the conclusion of a treaty, the provisions of which must eventually result in such incalculable benefits to a most oppressed and afflicted portion of the human race.

With this conviction, I need not assure you, sir, of my readiness to wait upon you at any time which you may think fit to appoint, in order to give effect to the instructions which I have received from his Majesty's Secretary of State, by affixing my signature to the convention, as newly modelled.

I beg, sir, that you will receive the assurances of my distinguished consideration.

H. U. ADDINGTON.

No. VI. (a)—Secretary of State to Mr. Addington.

DEPARTMENT OF STATE,  
Washington, 4th Dec. 1824.

SIR: Your note of the 6th ult. has been submitted to the consideration of the President of the United States. While regretting that it has not been found conformable to the views of His Britannic Majesty's Government, to concur in the ratification of the convention for the suppression of the slave trade, as recommended by the advice and consent of the Senate of the United States, he has thought it most advisable, with reference to the success of the object common to both governments, and in which both take the warmest interest, to refer the whole subject to the deliberate advisement of Congress. In postponing, therefore, a definite answer to the proposal set forth in your note, I have only to renew the assurance of the unabated earnestness with which the government of the United States looks to the accomplishment of the common purpose: the entire extinction of that odious traffic, and to the concert of effective measures to that end between the United States and Great Britain.

I pray you, sir, to accept the assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

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